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October 19, 2012

**Via ECF Filing**

Honorable Lois H. Goodman, U.S.M.J.  
Clarkson S. Fisher Federal Courthouse, Room 7050  
492 E. State Street  
Trenton, New Jersey 08608

**Re: Bayliss v. New Jersey State Police, et al.**  
**Docket No.: 11-cv-0890**  
**Our File No.: 12-386**

Dear Judge Goodman:

When we last conferred, Your Honor instructed that the undersigned prepare a proposed amended pleading. Our notes reflect same was required to be served upon all parties by September 12, 2012. My notes also reflect that a "joint submission" was due by September 28, 2012. We received a correspondence from Plaintiff's counsel regarding Plaintiff's agreement to the filing of the proposed amended pleading. However, although we made inquiries of the other parties, we were not advised of the State's position until the submission of Mr. Bowens in a letter dated October 18, 2012 marked as document 44 on the EFC. In that correspondence Mr. Bowens requests authorization "to file a motion to dismiss Wambold's pleading".<sup>1</sup>

It is my understanding that without consent I would need to file a Notice of Motion to amend Wambold's pleadings. That would require some opposition from the Defendants. Perhaps I am mistaken and therefore request Your Honor's guidance with regard to those issues. We will await further instruction from the Court.

We thank the Court for its attention and courtesy.

Very truly yours,  
**Sciarras & Catrambone, L.L.C.**

By: Charles J. Sciarra/s/  
Charles J. Sciarra

CJS\mf

cc: Victor DiFrancesco, Deputy Attorney General (Via Telefax)  
Robert B. Woodruff, Esq. (Via Telefax)  
Vincent Nuzz, Esq. (Via Telefax)  
Linda G. Harvey, Esq. (Via Telefax)  
Client

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<sup>1</sup>Mr Bowens also addresses the desire to make application to compel the return of documents which, in other various correspondence, they made some vague and ambiguous assertion of privilege.